

**COMBINED DECLARATION AND POWER OF ATTORNEY**

ATTORNEY'S DOCKET NO.

45100-8802301

As a below-named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ORAL TESTOSTERONE DELIVERY SYSTEM WITH IMPROVED SUSTAINED RELEASE

the specification of which:

UTILITY PATENT APPLICATION

- [] (a) is attached hereto.
[✓] (b) was filed on November 12, 2003 as Application Serial No. 10/706,241
and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL PHASE

- [✓] (c) was described and claimed in International Application No. PCT/US03/35899 filed November 12, 2003
and as amended on _____ (if any).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

PRIORITY CLAIM

I hereby claim priority benefits under Title 35, United States Code, §120, of any application(s) for patent or inventor's certificate listed below having a filing date before that of the application on which priority is claimed:

- [] (d) no such applications have been filed.
[✓] (e) such applications have been filed as follows:

EARLIEST APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS PRIOR TO SAID

Country	Application No.	Date of Filing	Date of Issue	Priority Claimed
US	60/426,188	November 14, 2002		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

ALL APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS PRIOR TO SAID APPLICATION

				<input type="checkbox"/> YES <input type="checkbox"/> NO
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CONTINUATION-IN-PART

(Complete This Part Only If This Is A Continuation-In-Part Application)

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this continuation-in-part application:

Application Serial No.

Filing Date

Status (patented, pending, abandoned)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter S. Gilster, Reg. No. 25,337
Donald J. Fitzpatrick, Reg. No. 25,553
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: KERSHMAN, Alvin

Inventor's Signature: _____

Date: _____ Country of Citizenship: US

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Full name of sole or second inventor: SHEAR, Jeff L.

Inventor's Signature: _____

Date: _____ Country of Citizenship: US

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